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**VIA ECF**

Hon. Vincent L. Briccetti  
United States District Judge  
United State District Court  
300 Quarropas Street  
White Plains, NY 10601

The Court will hold a telephone conference with counsel only on 8/25/2020, at 2:30 p.m. to discuss this request. Counsel shall use the following information to connect by telephone:

**Dial-In Number: (888) 363-4749 (toll free) or (215)**

**446-3662;**

**Access Code: 1703567.**

SO ORDERED:



Vincent L. Briccetti, U.S.D.J.

8/20/2020

Re: *United States v. Lee*, 19 cr. 424 (VLB)

Dear Judge Briccetti:

I am associate counsel for defendant Hibah Lee. At the last teleconference on August 6, 2020, Ms. Wolfe and I requested that the Court set a trial in late October of this year. The request was predicated on Mr. Lee's incarceration since January, 2019, and his desire to proceed to trial as soon as possible. The Court advised us that there is a protocol and an Assignment Committee for the scheduling of trials. Your Honor set a tentative trial date of November 30, 2020. It is our understanding that Judges must submit requests for a trial date in 2020 to the Assignment Committee no later than this Friday, August 21st. For the reasons described below, and with Mr. Lee's consent and upon his request, we are requesting that his case be withdrawn from consideration for a trial date in 2020.

During the past two weeks, the leadership of the New York City public school system, including the one that my eight-year-old daughter attends, has provided little certainty about how and when schools will open and operate this fall. My daughter's school presently anticipates in-person instruction only two days per week; the other three will be remote learning days. Like many parents, I have too little information to anticipate and arrange for my childcare needs, especially the amount that I would require to participate in Mr. Lee's trial before Your Honor, given that I commute from Brooklyn to White Plains. I am also concerned, based on recent reports from schools around the country that have attempted to reopen, that my daughter's school may ultimately be forced to operate on a fully remote basis. Under either scenario, I

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cannot be certain that I will be able to meet her childcare needs given the number of parents currently in the same predicament.

Ms. Wolfe and I presented these concerns to Mr. Lee, assuring him that we would abide by his decision, whether to maintain our request for the current trial date or to request a later one. He informed us that he prefers to have a trial in which I can fully participate, and that he would like to withdraw his request for a 2020 trial date in favor of a trial as soon as practicable after January 1, 2021.

We have discussed the foregoing with AUSA Brumwell, and the government takes no position with respect to maintaining the current trial date or postponing it.

Thank you for your consideration.

Respectfully submitted,

s/

Diane M. Fischer